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DATE April 18, 2003

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FAX NUMBER 1-703-308-7724

ATTENTION OF Examiner Yam

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C/M/A # 21295/22/2335

MESSAGE Application Serial No: 09/825,273

Enclosed is an RCE and Amendment

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Request For Continued Examination (RCE) Transmittal

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/825,273
Filing Date	April 3, 2001
First Named Inventor	Engelhardt
Art Unit	2878
Examiner Name	Stephen Yam
Attorney Docket Number	21275-22

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____ APR 18 2003
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500369

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Maria Eliseeva

Signature

Registration No. (Attorney/Agent) 48,326

Date April 18, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

Other by certificate of mailing or transmission is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) Maria Eliseeva

Signature

Date April 18, 2003

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file and process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. All comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Johann Engelhardt et al.

Serial No.: 09/825,273

Art Unit: 2878

Filed: April 3, 2001

Examiner: Yam, Stephen K.

Confirmation No: 2086

For: *Apparatus for Combining Light and Confocal Scanning Microscope*

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AMENDMENT

In response to the Final Office Action mailed December 18, 2002, Applicant submits a Request for Continuing Examination and responds and amends as follows:

In the claims:

B1
Claim 1. (Currently Amended) An apparatus for combining light comprising:
at least one beam combining unit provided as a double-refracting optical element;
at least two laser light sources a first laser source emitting a first light beam having a first
polarization direction and a second laser source emitting a second light beam having a second
polarization direction, the first and the second light beams having approximately the same
wavelength; each of which defines a light beam wherein the light from the laser light sources has
approximately the same wavelength; and